

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE

RODNEY G. SMITH, EXECUTIVE DIRECTOR  
OF THE TEAMSTERS UNION 25 HEALTH  
SERVICES AND INSURANCE PLAN,

Plaintiff,

v.

COASTAL OIL NEW ENGLAND, INC. AND  
EL PASO MERCHANT-ENERGY PETROLEUM  
COMPANY,

Defendants.

2005 JAN 18 P 2:56

U.S. DISTRICT COURT  
DISTRICT OF MASS.

Civil Action No. 04-12568-MEL

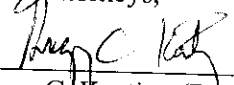
**ASSENTED-TO MOTION FOR EXTENSION OF TIME  
TO MOVE, ANSWER OR OTHERWISE RESPOND**

NOW COMES the Defendants, Coastal Oil New England, Inc. and El Paso Merchant-Energy Petroleum Company, and hereby move this Honorable Court for a brief extension of time to move, answer or otherwise respond until February 7, 2005. As grounds for this brief extension, Defendants state that (1) Plaintiff has assented-to this Motion and (2) the parties are trying to settle this matter without resort to litigation.

Respectfully submitted,

COASTAL OIL NEW ENGLAND, INC. AND  
EL PASO MERCHANT-ENERGY  
PETROLEUM COMPANY

By their attorneys,

  
\_\_\_\_\_  
Gregory C. Keating (BBO # 564523)

Amy L. Nash (BBO # 647304)

LITTLER MENDELSON, P.C.

One International Place

Suite 2700

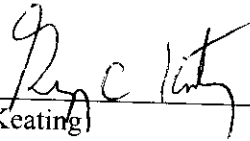
Boston, MA 02110

(617) 378-6000

Dated: January 18, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was served upon the attorney of record for each other party by first class mail on January 18, 2005.

  
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Gregory C. Keating

Boston:6036.1